

REMARKS

I. Summary of the Office Action

Claims 1-3, 5-30, and 32-34 were pending in this application.

Claims 1-3 and 5-24 stand finally rejected under 35 U.S.C. § 102(b) as being anticipated by Patterson et al. U.S. Patent No. 6,653,957 (hereinafter "Patterson").

Claims 25 and 26 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 27-30 and 32-34 were allowed.

II. Summary of Applicants' Reply

Applicants note with appreciation the indication of allowable subject matter in claims 25 and 26, and the allowance of claims 27-30 and 32-34, and hereby propose amending independent claim 17 to include the subject matter of allowable claim 25. Applicants have subsequently cancelled claim 25 without prejudice. Claims 18, 20, 22, and 26 have been amended for consistency with claim 17, and to correct minor and obvious typographical errors. Applicants have cancelled claims 1-3 and 5-16 without prejudice. These amendments are fully supported by the application as originally filed and do not add new matter.

Applicants' amendments have been proposed solely to expedite allowance of this application and are not based on the merits of the Examiner's claim rejections. Applicants hereby expressly reserve the right to claim any subject matter lost by applicants' claim amendments or cancellations in one or more continuation or divisional applications.

The claim rejections and objections are respectfully traversed.

III. Statement Under 37 C.F.R. § 1.116(b)

Applicants respectfully request that the amendments presented herein be entered under 37 C.F.R. § 1.116(b). Applicants believe that the proposed amendments place this application in condition for allowance. These amendments were not presented earlier because applicants believed that their previous reply was a good faith effort to advance the prosecution of this application and that the amendments and arguments presented at that time were sufficient to place the application in condition for allowance. Applicants believe that the above constitutes "good and sufficient cause why the [present] amendment is necessary and was not earlier presented."

IV. Applicants' Response

Claims 1-3 and 5-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Patterson. Claims 25 and 26 were objected to as being dependent upon a rejected base claims. This rejection and objection are respectfully traversed.

Applicants have cancelled claims 1-3 and 5-16 without prejudice. The rejection of these claims is, therefore, moot and should be withdrawn.

Applicants have amended claim 17 to include all the features of now cancelled allowable claim 25. Accordingly, independent claim 17 is allowable for at least the reason that previously pending claim 25 was allowable. Dependent claims 18-24, and 26 are also allowable for at least the reason that they depend from allowable independent claim 17. Applicants therefore

respectfully request that the rejection of claims 17-24, and objection to claim 26 be withdrawn.

V. Conclusion

For at least the foregoing reasons, applicants respectfully submit that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,



Robert R. Jackson
Registration No. 26,183
Attorney for Applicants
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 36981
1211 Avenue of the Americas
New York, New York 10036-8704
Tel.: (212) 596-9000